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09 871 130  
APPLICATION NUMBER FILING DATE FIRST NAMED APPLICANT ATTORNEY DOCKET NO.  
09/871,130 05/31/01 ALLEN R 7780.453USD1

023552  
MM91/0911  
MERCHANT & GOULD PC  
P.O. BOX 2903  
MINNEAPOLIS MN 55402-0903

EXAMINER  
SHAFFER, R

ART UNIT PAPER NUMBER  
2872 3

DATE MAILED: 09/11/01

This is a communication from the examiner in charge of this application:  
COMMISSIONER OF PATENTS AND TRADEMARKS

**NOTICE OF ALLOWABILITY**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- ☒ This communication is responsive to 5/31/01  
☒ The allowed claim(s) is/are 13  
☒ The drawings filed on 5/31/01 are acceptable as formal drawings.

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

☐ All ☐ Some\* ☐ None of the:

- ☐ Certified copies of the priority documents have been received.  
☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_  
☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE FOR SUBMITTING NEW FORMAL DRAWINGS, OR A SUBSTITUTE OATH OR DECLARATION. This three-month period for complying with the REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL is extendable under 37 CFR 1.136(a).

- ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.  
☐ Applicant MUST submit NEW FORMAL DRAWINGS  
☐ because the originally filed drawings were declared by applicant to be informal.  
☐ including changes required by the Notice of Draftperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. \_\_\_\_\_.  
☐ including changes required by the proposed drawing correction filed on \_\_\_\_\_, which has been approved by the examiner.  
☐ including changes required by the attached Examiner's Amendment/Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings.

☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any reply to this notice should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

**Attachment(s)**

- ☒ Notice of References Cited, PTO-892  
☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_  
☐ Notice of Draftperson's Patent Drawing Review, PTO-948  
☐ Notice of Informal Patent Application, PTO-152  
☐ Interview Summary, PTO-413  
☐ Examiner's Amendment/Comment  
☐ Examiner's Comment Regarding Requirement for the Deposit of Biological Material  
☒ Examiner's Statement of Reasons for Allowance

**BEST AVAILABLE COPY**

*Ricky D. Shafer*  
RICKY D. SHAFFER  
PATENT EXAMINER  
ART UNIT 2872

Art Unit: 2872

1. The following is an examiner's statement of reasons for allowance:

The prior art of record does not teach or fairly suggest a display apparatus comprising a light modulating layer, a light cavity and a diffusely reflecting polarizer, disposed between the light modulating layer and the light cavity, wherein said polarizer diffusely reflects light of the second polarization with a second degree of depolarization greater than the first degree of depolarization to provide light of the first polarization and wherein at least a portion of the diffusely reflected light of the first polarization is reflected by the light cavity without depolarization toward the diffusely reflecting polarizer for transmission therethrough as recited in claim 13.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to R.D. Shafer whose telephone number is (703) 308-4813.

RDS

September 5, 2001

*Ricky D. Shafer*  
RICKY D. SHAFER  
PATENT EXAMINER  
ART UNIT 2872



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

NOTICE OF ALLOWANCE AND ISSUE FEE DUE

023552  
MERCHANT & GOULD PC  
P.O. BOX 2903  
MINNEAPOLIS MN 55402-0903

MM91/0911

| APPLICATION NO.       | FILING DATE                              | TOTAL CLAIMS | EXAMINER AND GROUP ART UNIT | DATE MAILED |
|-----------------------|--|--------------|-----------------------------|-------------|
| 09/871,130            | 05/31/01                                 | 001          | SHAHER, R 2872              | 09/11/01    |
| First Named Applicant | ALLEN, 35 USC 154(b) term ext. = 0 Days. |              |                             |             |

TITLE OF INVENTION OPTICAL DEVICES USING REFLECTING POLARIZING MATERIALS

| ATTY'S DOCKET NO. | CLASS-SUBCLASS | BATCH NO. | APPLN. TYPE | SMALL ENTITY | FEE DUE   | DATE DUE |
|-------------------|----------------|-----------|-------------|--------------|-----------|----------|
| 3 7780.453USD1    | 359-246.000    | L83       | UTILITY     | NO           | \$1240.00 | 12/11/01 |

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

**HOW TO RESPOND TO THIS NOTICE:**

- I. Review the SMALL ENTITY status shown above.  
If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:
  - A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
  - B. If the status is the same, pay the FEE DUE shown above.
- If the SMALL ENTITY is shown as NO:
  - A. Pay FEE DUE shown above, or
  - B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.
- II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.
- III. All communications regarding this application must give application number and batch number.  
Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

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